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§5–404.

(a) Schedule III consists of each controlled dangerous substance by whatever official name, common or usual name, chemical name, or brand name:

(1) added to Schedule III by the Department under § 5–202(b) of this title; or

(2) designated as a Schedule III controlled dangerous substance by the federal government unless the Department objects under § 5–202(f) of this title.

(b) The Department may not add a substance to Schedule III under § 5–202 of this title unless the Department finds:

(1) a potential for abuse of the substance that is less than that for the substances listed in Schedule I and Schedule II;

(2) well documented and approved medical use of the substance in the United States; and

(3) evidence that abuse of the substance may lead to moderate or low physical dependence or high psychological dependence.

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